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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/152,812 11/16/93 KHANDROS

I 5887B

KNAPP, J. EXAMINER

32M1/0913

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ART UNIT PAPER NUMBER

3205

DATE MAILED: 09/13/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire THREE month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- ☒ Notice of References Cited by Examiner, PTO-892.
- ☒ Notice of Draftsman's Patent Drawing Review, PTO-948.
- ☐ Notice of Art Cited by Applicant, PTO-1449.
- ☐ Notice of Informal Patent Application, PTO-152.
- ☐ Information on How to Effect Drawing Changes, PTO-1474.
- ☐ _____

Part II SUMMARY OF ACTION

1. ☒ Claims 1-38 are pending in the application.

Of the above, claims 29, 33, 34, 36-38 are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☒ Claims 15, 16 are allowed.

4. ☒ Claims 1-14, 17-21, 22-24, 26, 32, 35 are rejected.

5. ☒ Claims 25, 28, 30, 31 are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).

12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

Art Unit 325

1. Claims 29, 33, 34, 36-38 are objected to under 37 C.F.R. § 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See M.P.E.P. § 608.01(n). Accordingly, these claims have not been further treated on the merits.

Note that if claim 38 were proper, under 35 U.S.C. 121, restriction to either the method of claims 1-37 or the product of claim 38 would be required.

2. Claims 14, 17-23, 26, 35 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 14, line 11, it is not clear to which "stem" is being referred since a plurality of stems are claimed to be created prior to this step. Thus, for examination purposes "stem" has been instead treated as "stems".

3. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

4. Claims 1-14, 17-20, 22-24, 32 are rejected under 35 U.S.C. § 103 as being unpatentable over Kobayashi et al. (U.S. 4,821,148) in view of Christy et al. (U.S. 3,460,238).

Kobayashi et al. teaches the invention substantially as claimed (see the figures and the example). Kobayashi et al. does not teach the details of forming and bonding the individual sections of wire. Christy et al., however, teaches (In figures 2-6, and 8) a method by which individual sections of wire may be formed, bonded, and severed. Christy et al. allows a wire segment to be broken immediately adjacent to a bond area. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kobayashi et al. with Christy et al. to provide a specific method by which individual sections of wire may be formed, bonded, and severed wherein the severing occurs in such a manner that it provides the benefit of breaking a wire section immediately adjacent to the second stem end of a wire section.

In regard to claim 20, Kobayashi et al. in view of Christy et al. does not teach severing by melting the wire. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kobayashi et al. in view of Christy et al. to sever the wire at the desired location by melting the wire at that location since the examiner takes Official Notice of the equivalence of melting and shearing as means of severing a bonded wire at a desired location and selection of either of these known equivalent would have been within the ordinary skill level in the art at the time the invention was made.

5. Claims 25, 27, 28, 30, 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 21, 26, 35 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112 and to include all of the limitations of the base claim and any intervening claims.

7. Claims 15, 16 are allowable over the prior art of record.

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Art Unit 325

8. The following other references are cited as material:

Elarde; Moeller et al.; Jackson; and Akiyama et al.

9. Any inquiry concerning this communication should be directed to J. Knapp at telephone number (703) 308-~~0667~~.

JJR
Knapp/msm
August 30, 1994

P. Austin Bradley
P. AUSTIN BRADLEY
SUPERVISORY PATENT EXAMINER
GROUP 3200